

2024. (Order, ECF 214, PageID# 3549.) On April 18, 2024, this Court ruled on Counts 4-6, but did not rule on Counts 1-3. (See, Order, ECF 222, PageID# 3692.) Instead, this Court ordered the parties to court-ordered mediation as to Counts 1-3, and also Count 4. (*Id.* at PageID# 3693.)

Defendants submit that the Magistrate Judge's Order is incorrect and ask that the record reflect that Defendants' Motion for Summary Judgment as to Counts 1-3 remains outstanding.¹

CONCLUSION

For the reasons stated above, Defendants ask that the record reflect that their Motion for Summary Judgment as to Counts 1-3 remains outstanding.

Respectfully submitted,

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¹ While Defendants maintain that they are entitled to judgment as a matter of law, Defendants intend to attend the mediation in good faith and have prepared for the mediation.

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the above document has been forwarded electronically. Notice of this filing will be sent by the Court's electronic filing system to the parties named below. Parties may access this filing through the Court's electronic filing system.

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